

# PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.B (Section III "A" Residence C, 3) to permit a side yard setback of 5 feet in lieu of the required 7 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

Existing kitchen and dining floor area is 8'0" x 11'6".

Need to increase to the size of 13'0" x 12'0".

Construction and dwelling layout precludes adding to the rear where it would be permitted.

Need additional square footage because of family size.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: (Type or Print Name) \_\_\_\_\_

Signature \_\_\_\_\_

Address \_\_\_\_\_

City and State \_\_\_\_\_

Attorney for Petitioner: (Type or Print Name) \_\_\_\_\_

Signature \_\_\_\_\_

Address \_\_\_\_\_

City and State \_\_\_\_\_

Attorney's Telephone No.: \_\_\_\_\_

Legal Owner(s): (Type or Print Name) \_\_\_\_\_

Signature \_\_\_\_\_

Address \_\_\_\_\_

City and State \_\_\_\_\_

Name, address and phone number of legal owner, contract purchaser or representative to be contacted \_\_\_\_\_

Irvin R. Shanefelter, Sr. 145 Wilgate Rd. (W) 825-0700

City and State \_\_\_\_\_

Attorney's Telephone No.: \_\_\_\_\_

ORDERED By The Zoning Commissioner of Baltimore County, this 27th day of March, 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 8th day of May, 1984, at 9:45 o'clock A.M.

Cal Jahn  
Zoning Commissioner of Baltimore County

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

Arnold Jablon  
To: Zoning Commissioner Date: April 20, 1984

Norman E. Gerber, Director  
FROM: Office of Planning and Zoning

Irvin R. Shanefelter, Sr., et al  
SUBJECT: 84-302-A

There are no comprehensive planning factors requiring comment on this petition.

NEG/JGH/sf

Thomas E. Gerber, Jr.  
Office of Planning and Zoning

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Signature \_\_\_\_\_

Address \_\_\_\_\_

City and State \_\_\_\_\_

Attorney for Petitioner: (Type or Print Name) \_\_\_\_\_

Signature \_\_\_\_\_

Address \_\_\_\_\_

City and State \_\_\_\_\_

Attorney's Telephone No.: \_\_\_\_\_

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Signature \_\_\_\_\_

Address \_\_\_\_\_

City and State \_\_\_\_\_

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Cal Jahn  
Zoning Commissioner of Baltimore County

Case No. 84-302-A

## BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this 27th day of March, 1984.

Petitioner: Irvin R. Shanefelter, Sr., et al  
Petitioner's Attorney: \_\_\_\_\_

Arnold Jablon  
Zoning Commissioner

Nicholas B. Connodari  
Chairman, Zoning Plans Advisory Committee

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Contract Purchaser: (Type or Print Name) \_\_\_\_\_

Signature \_\_\_\_\_

Address \_\_\_\_\_

City and State \_\_\_\_\_

Attorney for Petitioner: (Type or Print Name) \_\_\_\_\_

Signature \_\_\_\_\_

Address \_\_\_\_\_

City and State \_\_\_\_\_

Attorney's Telephone No.: \_\_\_\_\_

Legal Owner(s): (Type or Print Name) \_\_\_\_\_

Signature \_\_\_\_\_

Address \_\_\_\_\_

City and State \_\_\_\_\_

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Cal Jahn  
Zoning Commissioner of Baltimore County

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 26, 1984

Mr. Irvin R. Shanefelter, Sr.  
145 Wilgate Road  
Owings Mills, Md. 21117

RE: Item No. 246 - Case No. 84-302-A  
Irvin R. Shanefelter, Sr., et al  
Variance Petition

Dear Mr. Shanefelter:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,  
Nicholas B. Connodari  
NICHOLAS B. CONNODARI  
Chairman  
Zoning Plans Advisory Committee

NBC:bsc

Enclosures

## BALTIMORE COUNTY

### ZONING PLANS

### ADVISORY COMMITTEE



### PETITION AND SITE PLAN

### EVALUATION COMMENTS



BALTIMORE COUNTY  
DEPARTMENT OF PUBLIC WORKS  
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.  
DIRECTOR

April 27, 1984

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item #246 (1983-1984)  
Property Owners: Irvin R. Shanefelter, Sr., et al  
S/S Wilgate Rd. 388' E. of centerline Wengate Rd. Extended  
Acres: 60 X 230 District: 4th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

#### General:

Baltimore County highway and utility improvements exist and are not directly involved.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #246 (1983-1984).

Very truly yours,

Robert A. Murray, P.E.  
Bureau of Public Services

RAM:EAM:PR:iss  
T-SW Key Sheet  
44 & 45 NW 34 Pos. Sheets  
NW 12 I Topo  
58 Tax Map

FEB 28 1985



# PETITION FOR ZONING VARIANCE

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should ~~not~~ be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 10th day of May, 1984, that the herein Petition for Variance(s) to permit a side yard setback of 5 feet in lieu of the required 7 feet for the expressed purpose of constructing an addition to increase the habitable area of the existing dwelling, in accordance with the site plan filed herein and revised May 8, 1984, is GRANTED, from and after the date of this Order, subject, however, to the addition not exceeding 5' x 16'.

*James M. H. Jones*  
Deputy Zoning Commissioner of Baltimore County

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*James M. H. Jones*  
Deputy Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING  
DATE May 12, 1984  
BY May Campbell (Clerk)

# BALTIMORE COUNTY DEPARTMENT OF TRAFFIC ENGINEERING TOWSON, MARYLAND 21204 494-3550

STEPHEN E. COLLINS  
DIRECTOR  
April 16, 1984

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Item No. 240, 241, 242, 243, 244, 246, 247, 249, and 250 Meeting of March 27, 1984  
Property Owner:  
Location:  
Existing Zoning:  
Proposed Zoning:

Acres:  
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 240, 241, 242, 243, 244, 246, 247, 249, and 250.

*Michael S. Flanagan*  
Michael S. Flanagan  
Traffic Engineering Assoc. II

MSJ/ccm

# BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Zoning Item # 246, Zoning Advisory Committee Meeting of March 27, 1984  
Property Owner: Irvin R. Shanefelter, Sr., et al  
Location: S/S Wilgate Road District 4  
Water Supply public Sewage Disposal public

COMMENTS ARE AS FOLLOWS:

- ( ) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- ( ) Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- ( ) A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- ( ) A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- ( ) Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- ( ) Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- ( ) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- ( ) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1432 (1)

# Zoning Item # 246, Zoning Advisory Committee Meeting of March 27, 1984 Page 2

- ( ) Prior to raising of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- ( ) Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
- ( ) Soil percolation tests (have been/must be) conducted.  
( ) The results are valid until \_\_\_\_\_  
( ) Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- ( ) Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- ( ) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test shall be valid until \_\_\_\_\_  
( ) is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit applications.
- ( ) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- ( ) If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- (X) Others: This site is subject to the Guyanese Falls Sewerage  
Marston imposed by the Md. Dept. of Health and  
Mental Hygiene. Petitioner should contact the  
Director of the Division of Environmental Support  
Services at 494-2762, regarding the proposed  
additions.

*Jan J. Forrest*  
Jan J. Forrest, Director  
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1283 (2) R

# BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING TOWSON, MARYLAND 21204 494-3211 NORMAN E. GORRA DIRECTOR

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

4/4/84  
Re: Zoning Advisory Meeting of 3/21/84  
Item # 246  
Property Owner: IRVIN R. SHANEFELTER, ET AL  
Location: S/S WILGATE RD. 388' E. OF WENGATE RD.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ( ) There are no site planning factors requiring comment.
- (X) A County Review Group Meeting is required.
- (X) A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- (X) This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- (X) A record plat will be required and must be recorded prior to issuance of a building permit.
- (X) The access is not satisfactory.
- (X) The circulation on this site is not satisfactory.
- (X) The parking arrangement is not satisfactory.
- (X) Parking calculations must be shown on the plan.
- (X) This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- (X) Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- (X) Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- (X) The amended Development Plan was approved by the Planning Board on \_\_\_\_\_.
- (X) Landscaping should be provided on this site and shown on the plan.
- (X) The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is \_\_\_\_\_.
- (X) The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- ( ) Additional comments:

*Stephen G. Bolus*  
Stephen G. Bolus  
Chief, Current Planning and Development

# BALTIMORE COUNTY FIRE DEPARTMENT TOWSON, MARYLAND 21204-2566 494-4500

PAUL H. RENCKE  
CHIEF

March 27, 1984

Mr. William Hampson  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Attention: Nick Comodari, Chairman  
Zoning Plans Advisory Committee

RE: Property Owner: Irvin R. Shanefelter, Sr., et al

Location: S/S Wilgate Road 388' E. of O/L Wengate Road extended.

Item No.: 246 Zoning Agenda: Meeting of 3/27/84

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

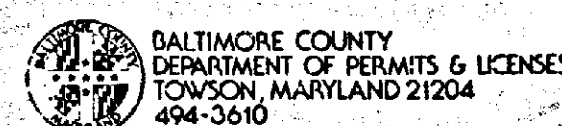
- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: *George M. Haggan*  
George M. Haggan, 3-27-84  
Planning Group  
Special Inspection Division

/s/

FEB 26 1985





BALTIMORE COUNTY  
DEPARTMENT OF PERMITS & LICENSES  
TOWSON, MARYLAND 21204  
494-3010

TO: ZALSKI, JR.  
DIRECTOR  
Mr. Arnold Jablon, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

March 27, 1984

Dear Mr. Jablon:

Comments on Item # 246 Zoning Advisory Committee Meeting are as follows:  
Property Owners: Irvin R. Shanefelter, Sr., et al.  
Location: S/S Wilgate Road 388' E. of c/1 Wengate Road extended  
Existing Zoning: D.R., S-5  
Proposed Zoning: Variance to permit a side yard setback of 5' in lieu of the required 7'.

Address: 60 x 230

District: 4th.

The items checked below are applicable:

(1) All structures shall conform to the Baltimore County Building Code 1981/Council Bill 8-82, except as otherwise indicated by the following:

(2) A building/structure shall be required before beginning construction.

(3) Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is not required. Non-compressed seals and signatures are required on Plans and Technical Data.

(4) Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

(5) An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 401, Line 2, Section 3107 and Table 402, also Section 503.4.

(6) Requested variance appears to conflict with the Baltimore County Building Code, Section 4.

(7) A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

(8) Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.

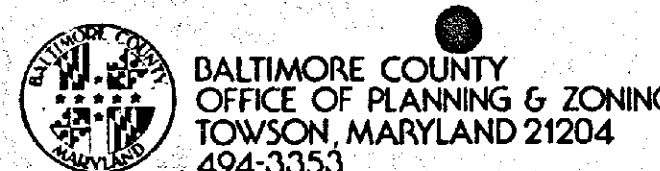
(9) Comments - Applicant should use the one and two family Building Code otherwise the east wall would require a 1 hour rating. See Section R-203 of the One & Two Family Code 1979 Edition.

NOTE: These comments reflect only the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,

*Charles E. Burman*  
Charles E. Burman, Chief  
Plans Review

cc: files



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

May 3, 1984

Mr. Irvin R. Shanefelter, Sr.  
Mr. Otis O. Naylor  
145 Wilgate Road  
Owings Mills, Maryland 21117

Re: Petition for Variance  
S/S Wilgate Rd., 388' E of Wengate  
Road (145 Wilgate Road)  
Irvin R. Shanefelter, Sr., et al - Petitioners  
Case No. 84-302-A

Gentlemen:

This is to advise you that \$47.32 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

*Arnold Jablon*  
ARNOLD JABLON  
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE, REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 130269

DATE: 5-1-84 ACCOUNT: R-01-615-000

AMOUNT: \$47.32

PAID BY: Irvin R. Shanefelter, Sr.

FOR: Advertising & posting Case 84-302-A

1666 13 4120000007221b 8082A

VALIDATION OR SIGNATURE OF CASHIER

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER  
S/S Wilgate Rd., 388' E : OF BALTIMORE COUNTY  
of Wengate Rd. (145 :  
Wilgate Rd.), 4th Dist.  
IRVIN R. SHANEFELTER, SR. : Case No. 84-302-A  
et al., Petitioners

#### ENTRY OF APPEARANCE

Please enter the appearance of the People's Council in the above-entitled matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Phyllis Cole Friedman*  
Phyllis Cole, Petitioner  
People's Council for Baltimore County

*Peter Max Zimmerman*  
Peter Max Zimmerman  
Deputy People's Counsel  
Rm. 223, Court House  
Towson, MD 21204  
494-2188

I HEREBY CERTIFY that on this 20th day of April, 1984, a copy of the foregoing Entry of Appearance was mailed to Mr. Irvin R. Shanefelter, Sr., and Mr. Otis O. Naylor, 145 Wilgate Rd., Owings Mills, MD 21117, Petitioners.

*Peter Max Zimmerman*  
Peter Max Zimmerman

#### CERTIFICATE OF PUBLICATION

TOWSON, MD., April 22, 1984

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of two times, successive weeks, before the 8th day of May, 1984, the first publication appearing on the 12th day of April, 1984.

THE JEFFERSONIAN  
*B. Frank Smith*  
Manager

Cost of Advertisement, \$ 16.00

#### DUPLICATE CERTIFICATE OF PUBLICATION

TOWSON, MD., April 22, 1984

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of two times, successive weeks, before the 8th day of May, 1984, the first publication appearing on the 12th day of April, 1984.

THE JEFFERSONIAN  
*B. Frank Smith*  
Manager

Cost of Advertisement, \$ 16.00

#### PETITION FOR VARIANCE

4th Election District

ZONING: Petition for Variance  
LOCATION: South side Wilgate Road, 388 ft. East of Wengate Road (145 Wilgate Road)

DATE & TIME: Tuesday, May 8, 1984 at 9:45 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard setback of 5 ft. in lieu of the required 7 ft.

Being the property of Irvin R. Shanefelter, Sr., et al, as shown on plat plan filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

#### LANDMARK COMMUNITY NEWSPAPERS OF MARYLAND, INC.

Westminster, Md., April 20, 1984

THIS IS TO CERTIFY that the annexed Petition for Variance was published for (one) successive weeks/days previous to the 20th day of April, 1984, in the

- ☐ Carroll County Times, a daily newspaper published in Westminster, Carroll County, Maryland.  
☐ South Carroll Herald, a weekly newspaper published in Eldersburg, Carroll County, Maryland.  
☒ Community Times, a weekly newspaper published in Reisterstown, Baltimore County, Maryland.

#### LANDMARK COMMUNITY NEWSPAPERS OF MARYLAND, INC.

Per \_\_\_\_\_

PETITION FOR VARIANCE  
4th Election District  
ZONING: Petition for V.  
LOCATION: South side Wilgate Road, 388 ft. East of Wengate Road (145 Wilgate Road)  
DATE & TIME: Tuesday, May 8, 1984 at 9:45 A.M.  
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:  
Petition for Variance to permit a side yard setback of 5 ft. in lieu of the required 7 ft.  
Being the property of Irvin R. Shanefelter, Sr., et al, as shown on plat plan filed with the Zoning Department.  
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.  
BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

#### CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

84-302-A

District: 4th Date of Posting: 4-20-84

Posted for: Variance

Petitioner: Irvin R. Shanefelter, Sr. et al

Location of property: S/S of Wilgate Road (145 Wilgate Rd.)

Location of Sign: 1st ft. of S/S Wilgate Road

Remarks: \_\_\_\_\_

Posted by: *B. Frank Smith* Date of return: 4-22-84

Number of Signs: 1

#### ZONING DESCRIPTION

Beginning on the South Side of Wilgate Road, at the distance of 388 ft. to the center line of Wengate road extended. Being lot 34, Block M, Section 6 in the subdivision of Tollgate, Book GLS #20 - Folio 69, also known as 145 Wilgate Road in the 4th Election District Precinct 1.

April 12, 1984

Mr. Irvin R. Shanefelter, Sr.  
Mr. Otis O. Naylor  
145 Wilgate Road  
Owings Mills, Maryland 21117

#### NOTICE OF HEARING

Re: Petition for Variance  
S/S Wilgate Rd., 388' E of Wengate Rd.  
(145 Wilgate Road)  
Irvin R. Shanefelter, Sr. - et al, Petitioners  
Case No. 84-302-A

TIME: 9:45 A.M.

DATE: Tuesday, May 8, 1984

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

*Arnold Jablon*  
Zoning Commissioner  
of Baltimore County

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE, REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 128202

DATE: 3/13/84 ACCOUNT: 01-615-000

AMOUNT: 35.00

PAID BY: Irvin R. Shanefelter, Sr.

FOR: Filing fee for Case #246

106 0 000000000000 0166A

VALIDATION OR SIGNATURE OF CASHIER



# PETITION FOR VARIANCE

4th Election District

ZONING: Petition for Variance  
 LOCATION: South side Wilgate Road, 388 ft. East of Wengate Road (145 Wilgate Road)  
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BY ORDER OF  
 ARNOLD JABLON  
 ZONING COMMISSIONER  
 OF BALTIMORE COUNTY



BALTIMORE COUNTY  
 OFFICE OF PLANNING & ZONING  
 TOWSON, MARYLAND 21204  
 494-3353

ARNOLD JABLON  
 ZONING COMMISSIONER

May 10, 1984

Mr. Irvin R. Shanefelter, Sr.  
 145 Wilgate Road  
 Owings Mills, Maryland 21117

RE: Petition For Variance  
 3/5 Wilgate Rd., 388' E of Wengate Rd. (145 Wilgate Rd.) - 4th Election District  
 Irvin R. Shanefelter, Sr., et al - Petitioners  
 No. 84-302-A (Item No. 246)

Dear Mr. Shanefelter:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

*Jan M.H. Jung*  
 J.M.H. JUNG  
 Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: People's Counsel

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 26, 1984

COUNTY OFFICE BLDG.  
 111 W. Chesapeake Ave.  
 Towson, Maryland 21204

000  
 Nicholas B. Commodari  
 Chairman

MEMBERS

Bureau of Engineering

Department of Traffic Engineering

State Roads Commission

Bureau of Public Protection

Health Department

Project Planning

Building Department

Board of Education

Zoning Administration

Industrial Development

Mr. Irvin R. Shanefelter, Sr.  
 145 Wilgate Road  
 Owings Mills, Md. 21117

RE: Item No. 246 - Case No. 84-302-A  
 Irvin R. Shanefelter, Sr., et al  
 Variance Petition

Dear Mr. Shanefelter:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

*Nicholas B. Commodari*  
 NICHOLAS B. COMMODARI  
 Chairman  
 Zoning Plans Advisory Committee

NBC:bsc

Enclosures



BALTIMORE COUNTY  
 DEPARTMENT OF PUBLIC WORKS  
 TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.  
 DIRECTOR

April 27, 1984

Mr. Arnold Jablon  
 Zoning Commissioner  
 County Office Building  
 Towson, Maryland 21204

RE: Item #246 (1983-1984)  
 Property Owner: Irvin R. Shanefelter, Sr., et al  
 S/S Wilgate Rd. 388' E. of centerline Wengate Rd. Extended  
 Acres: 60 X 230 District: 4th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

### General:

Baltimore County highway and utility improvements exist and are not directly involved.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of this property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item #246 (1983-1984).

Very truly yours,

*Robert A. Morton, P.E.*  
 ROBERT A. MORTON, P.E., Chief  
 Bureau of Public Services

RAM:EM:FWB:ias

T-SW Key Sheet  
 44 & 45 NW 34 Pos. Sheets  
 NW 12 1 Topo  
 58 Tax Map

# BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner  
 Office of Planning and Zoning  
 County Office Building  
 Towson, Maryland 21204

Zoning Item # 246, Zoning Advisory Committee Meeting of March 27, 1984

Property Owner: Irvin R. Shanefelter, Sr., et al

Location: S/S Wilgate Road District 4

Water Supply public Sewage Disposal public

## COMMENTS ARE AS FOLLOWS:

- ( ) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- ( ) Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.
- ( ) A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- ( ) A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- ( ) Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- ( ) Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- ( ) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- ( ) If lubrication work and oil changes are performed at this location, the method provided for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

BS 20 1082 (1)

Zoning Item # 246 Zoning Advisory Committee Meeting of March 27, 1984  
 Page 2

- ( ) Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- ( ) Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
- ( ) Soil percolation tests (have been/must be) conducted.  
 { } The results are valid until \_\_\_\_\_  
 { } Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- ( ) Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- ( ) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test:  
 { } shall be valid until \_\_\_\_\_  
 { } is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- ( ) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- ( ) If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- ( ) Others: This site is subject to the Chesapeake Bay Greenbelt  
Maintenance imposed by the Md. Dept. of Marine and  
Harvest Hygiene. Petitioner should contact Mr. Jackie  
Butcher of the Division of Environmental Support  
Services at 494-3762, regarding the proposed  
additions.

Jan J. Forrest, Director  
 BUREAU OF ENVIRONMENTAL SERVICES

BS 20 1283 (2) 2

BALTIMORE COUNTY  
 FIRE DEPARTMENT  
 TOWSON, MARYLAND 21204-2586  
 494-4500

PAUL H. RENCKE  
 CHIEF

March 27, 1984

Mr. William Hammond  
 Zoning Commissioner  
 Office of Planning and Zoning  
 Baltimore County Office Building  
 Towson, Maryland 21204

Attention: Nick Commodari, Chairman  
 Zoning Plans Advisory Committee

RE: Property Owner: Irvin R. Shanefelter, Sr., et al

Location: S/S Wilgate Road 388' E. of C/L Wengate Road extended.

Item No.: 246 Zoning Agenda: Meeting of 3/27/84

## Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at \_\_\_\_\_

EXCEEDS the maximum allowed by the Fire Department.

- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: *George M. Regan*  
 Planning Group  
 Special Inspection Division

mb

BALTIMORE COUNTY  
 DEPARTMENT OF PERMITS & LICENSES  
 TOWSON, MARYLAND 21204  
 494-3610

TED ZALESKI, JR.  
 DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner  
 Office of Planning and Zoning  
 County Office Building  
 Towson, Maryland 21204

March 27, 1984

Dear Mr. Jablon:

Comments on Item # 246 Zoning Advisory Committee Meeting are as follows:

Property Owner: Irvin R. Shanefelter, Sr., et al  
 Location: S/S Wilgate Road 388' E. of C/L Wengate Road extended  
 Existing Zoning: D.R. 3-5  
 Proposed Zoning: Variance to permit a side yard setback of 5' in lieu of the required 7'.

Acres: 60 x 230

District: 4th.

The items checked below are applicable:

- (X) A. All structures shall conform to the Baltimore County Building Code 1901/Overell Hill 1-2-3 Zoning Ordinance under the Department of Permits and Licenses and other applicable Codes.
- (X) B. A building/other permit shall be required before beginning construction.
- ( ) C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.
- ( ) D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- ( ) E. An exterior wall erected within 6'0" for Commercial use or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line; see Table 401, Item 2, Section 1107 and Table 1102, also Section 903.2.
- ( ) F. Requested variance appears to conflict with the Baltimore County Building Code, Section/s \_\_\_\_\_
- ( ) G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- ( ) H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.
- (X) I. Comments - Applicant should use the one and two family Building Code otherwise the east wall would require a 1 hour rating. See Section B-203 of the One & Two Family Code 1973 Edition.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,

*Charles S. Burnham*  
 Charles S. Burnham, Chief  
 Plans Review

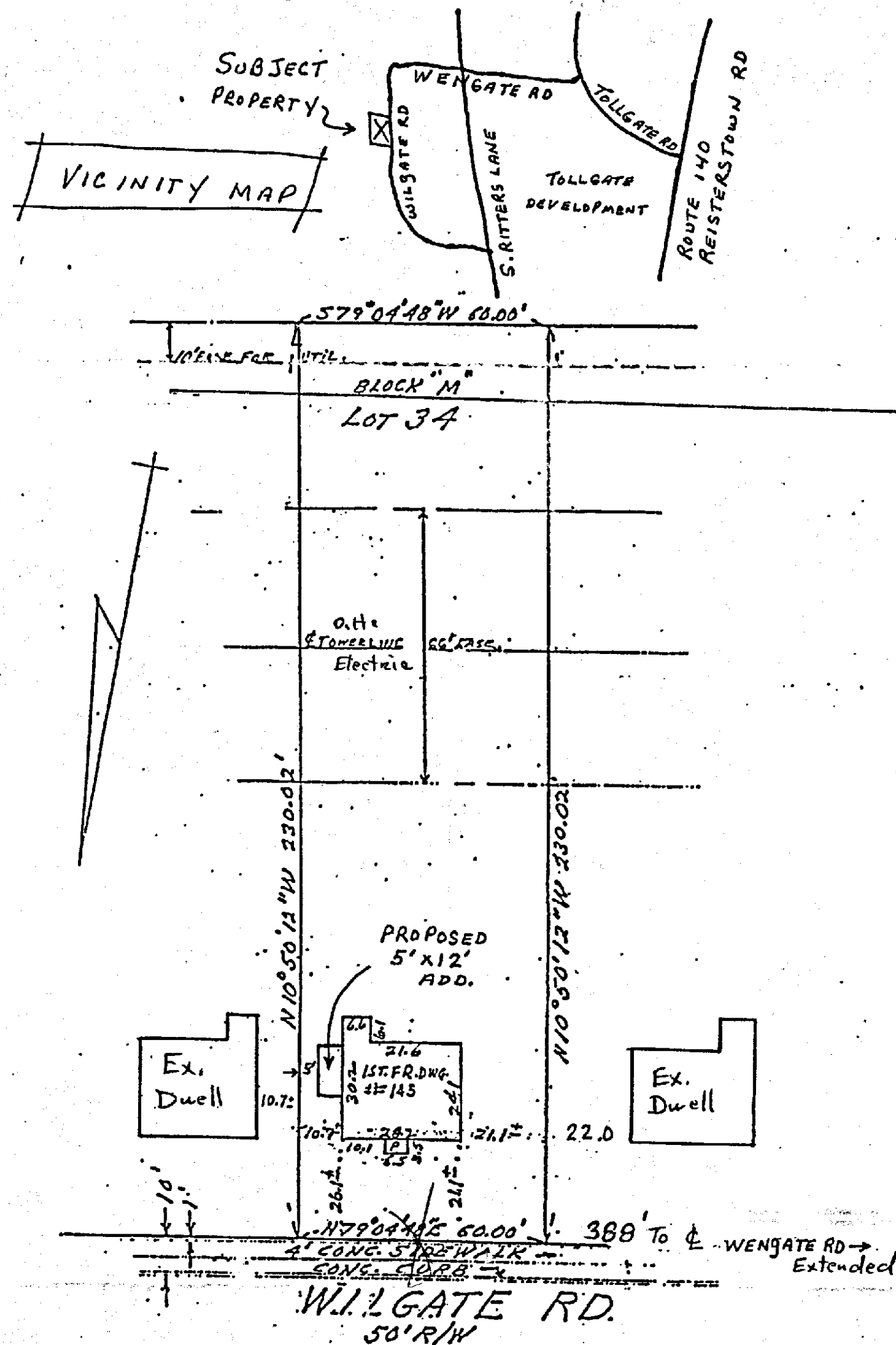
FE9 28 885



# PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>na</u>	Revised Plans: Change in outline or description <u>Yes</u> <u>No</u>									
Previous case: <u>          </u>	Map # <u>ZC</u>									

# 246

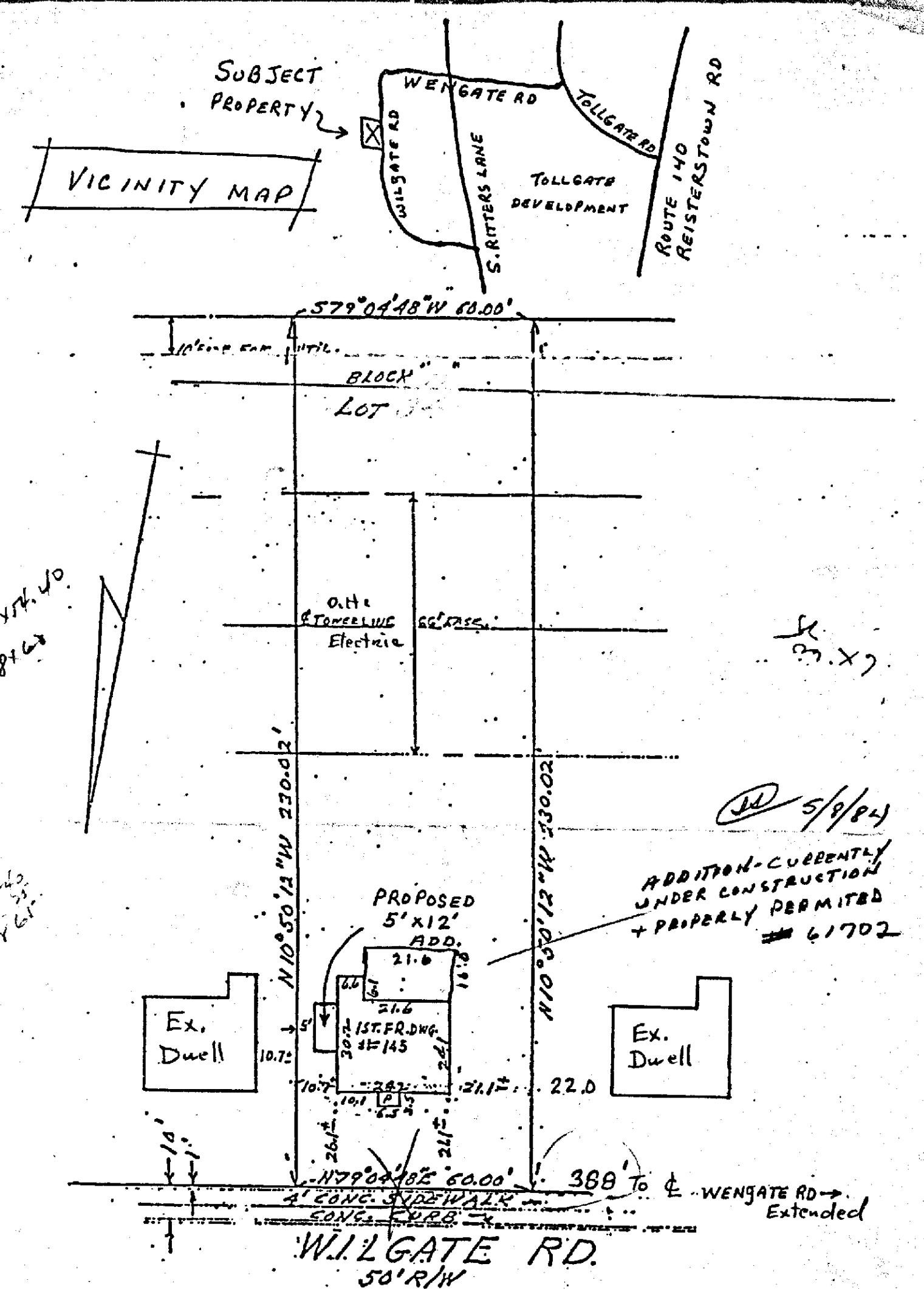


## PLAT FOR ZONING VARIANCE

OWNERS - OTIS O. NAYLOR + IRVIN R. SHANEFELTER SR.  
DISTRICT - 4 ZONED - D.R. 3.5  
SUBDIVISION - TOLLGATE DEVELOPMENT  
LOT 34 BLOCK M BOOK NO. GLB 20-FOLIO 69  
EXISTING UTILITIES IN WILGATE RD.  
SCALE 1" = 30'

MAP ZC  
05/12/11  
ELECTION 4  
DISTRICT 4  
DATE 5/27  
TYPE A  
HEARING BY  
BY             
FINAL             
BY           

#246



## PLAT FOR ZONING VARIANCE

OWNERS - OTIS O. NAYLOR + IRVIN R. SHANEFELTER SR.  
DISTRICT - 4 ZONED - D.R. 3.5  
SUBDIVISION - TOLLGATE DEVELOPMENT  
LOT 34 BLOCK M BOOK NO. GLB 20-FOLIO 69  
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